



**ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT - AIR QUALITY DIVISION (DEPARTMENT)**

**11850 SUNSET GARDENS SW - ALBUQUERQUE, NEW MEXICO 87121**

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APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IN BERNALILLO COUNTY  
ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD REGULATION 20.11.20 NMAC  
[CONSTRUCTION PERMIT FOR SURFACE DISTURBANCE/DEMOLITION (**NON-PROGRAMMATIC**)]

**DIVISION RECEIPT STAMP BELOW THIS LINE**

EFFECTIVE DATE OF THIS FORM: 3/1/04

SUBMITTAL DATE/TIME \_\_\_\_\_

RECEIVED BY \_\_\_\_\_

PERMIT # \_\_\_\_\_

**PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15)** (PRINT OR TYPE)

1. PROJECT NAME \_\_\_\_\_

2. PROJECT LOCATION \_\_\_\_\_

SUBMIT AS AN ATTACHMENT TO THIS APPLICATION, AT MINIMUM, AN (8 1/2" x 11" OR 11" x 17") SITE MAP OR PLAT OF PROJECT LOCATION

3. PROJECT STREET ADDRESS (if available) \_\_\_\_\_

4. MAJOR CROSS STREETS OR INTERSECTION NEARBY \_\_\_\_\_

5. UNIFORM PROPERTY CODE(S) (required information): \_\_\_\_\_

6. LATITUDE/LONGITUDE (if available): NORTH \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " WEST \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ "

7. UNIVERSAL TRANSVERSE MERCATOR (UTM Coordinates), if available: \_\_\_\_\_ NORTHING \_\_\_\_\_ EASTING

8. SCOPE OF PROJECT (check all that apply): ☐ NEW BUILDING(S) CONSTRUCTION ☐ SUBDIVISION DEVELOPMENT ☐ UTILITY IMPROVEMENTS  
☐ STRUCTURE DEMOLITION/RENOVATION ☐ ROADWAY DEVELOPMENT ☐ OTHER (please describe) \_\_\_\_\_

9. ACTIVE OPERATIONS (check all that apply): ☐ SURFACE DISTURBANCE ☐ BULK MATERIAL HAULING OR HANDLING ☐ UNPAVED ROADS  
☐ PAVED ROADS ☐ UTILITY REMOVAL/INSTALLATIONS ☐ STRUCTURE DEMOLITION/RENOVATION ☐ MILLING/GRINDING/CUTTING OF SURFACES  
☐ OTHER (please describe) \_\_\_\_\_

10. TOTAL AREA TO BE DISTURBED (acres or square feet) \_\_\_\_\_ acres; \_\_\_\_\_ ft<sup>2</sup>, or, FOR DEMOLITION: TOTAL CUBIC FEET \_\_\_\_\_ ft<sup>3</sup>

**NOTE: A FUGITIVE DUST CONTROL PERMIT APPLICATION IS REQUIRED FOR A BUILDING DEMOLITION PROJECT OF OVER 75,000 FT<sup>3</sup> AND MUST BE RECEIVED BY THE DEPARTMENT 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. ASBESTOS NOTIFICATION FOR DEMOLITION/RENOVATION OF ANY COMMERCIAL BUILDING, RESIDENTIAL BUILDING OF 5 OR MORE DWELLINGS, OR RESIDENTIAL STRUCTURE TO BE DEMOLISHED TO BUILD A NON-RESIDENTIAL STRUCTURE MUST BE RECEIVED BY THE DEPARTMENT, USING A SEPARATE FORM, 10 WORKING DAYS BEFORE THE ANTICIPATED PROJECT START DATE. BUILDING DEMOLITIONS IN BERNALILLO COUNTY REQUIRE DEPARTMENT SIGNATURES FOR PROPER DUST CONTROL AND ASBESTOS NOTIFICATION BEFORE A DEMOLITION PERMIT WILL BE ISSUED BY THE CITY OR COUNTY (20.11.20.22).**

11. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF 3/4 ACRE UP TO 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF MORE THAN 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 20 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. **ANTICIPATED PROJECT START DATE IS :** \_\_\_\_/\_\_\_\_/200\_\_

12. AN APPROVED FUGITIVE DUST CONTROL PERMIT SHALL BE VALID FOR 1 YEAR FROM THE DATE OF APPROVAL BY THE DEPARTMENT OR THE ANTICIPATED PROJECT COMPLETION DATE, WHICHEVER IS LONGER, BUT NO MORE THAN 5 YEARS. IF THE SCOPE OF PROJECT, PROJECT ACTIVITIES, EXPIRATION DATE, TOTAL AREA TO BE DISTURBED, OR PROPOSED CONTROL MEASURE CHANGE IN ANY MANNER THAT ARE DETERMINED BY THE DEPARTMENT TO REQUIRE ADDITIONAL CONDITIONS, THEN A NEW FUGITIVE DUST CONTROL PERMIT SHALL BE REQUIRED. A FUGITIVE DUST CONTROL PERMIT MAY BE RENEWED IF THE DEPARTMENT RECEIVES A WRITTEN REQUEST FROM THE PERMITTEE 10 BUSINESS DAYS PRIOR TO EXPIRATION DATE. **ANTICIPATED PROJECT COMPLETION DATE IS :** \_\_\_\_/\_\_\_\_/200\_\_

**PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15) (CONTINUED) (PRINT OR TYPE)**

13. (CHECK ONE) ACTIVE OPERATIONS WILL BE THE TOTAL AREA TO BE DISTURBED \_\_\_\_\_, **OR**, ACTIVE OPERATIONS WILL BE PHASED \_\_\_\_\_
14. IF PHASING OF ACTIVE OPERATIONS (Explain Phasing Plan and Give Total Disturbed Area, in acres, at any given time) \_\_\_\_\_
15. IS A SITE DRAINAGE PLAN REQUIRED FOR THIS PROJECT? YES \_\_\_\_\_ NO \_\_\_\_\_
16. IF YES TO #15 ABOVE, IS DRAINAGE PLAN APPROVED AND AVAILABLE UPON REQUEST BY THE DEPARTMENT? YES \_\_\_\_\_ NO \_\_\_\_\_
17. EXPECTED VOLUME OF BULK MATERIAL TO BE HANDLED DURING THE DURATION OF THIS PROJECT (in cubic yards) \_\_\_\_\_ yds<sup>3</sup>
18. VOLUME OF BULK MATERIAL TO BE IMPORTED TO THIS PROJECT SITE \_\_\_\_\_ yds<sup>3</sup> EXPORTED FROM PROJECT SITE \_\_\_\_\_ yds<sup>3</sup>
19. LOCATION(S) FROM WHICH BULK MATERIAL WILL BE IMPORTED TO THIS PROJECT SITE \_\_\_\_\_
20. DO THE BERNALILLO COUNTY LOCATIONS, TO BE PROVIDING BULK MATERIAL IMPORT TO THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS? YES \_\_\_\_\_ NO \_\_\_\_\_
21. LOCATIONS IN BERNALILLO COUNTY THAT WILL BE RECEIVING BULK MATERIAL EXPORTED FROM THIS PROJECT SITE \_\_\_\_\_
22. DO THE LOCATIONS IN BERNALILLO COUNTY THAT WILL BE RECEIVING BULK MATERIAL EXPORTED FROM THIS PROJECT HAVE FUGITIVE DUST CONTROL PERMITS? YES \_\_\_\_\_ NO \_\_\_\_\_

**PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23) (PRINT OR TYPE)**

THE "PERMITTEE" SHALL INCLUDE IN THE PERMIT APPLICATION ONE OR MORE OF THE APPLICABLE REASONABLY AVAILABLE CONTROL MEASURES GIVEN IN PART B.1 – B.12 BELOW, **OR** ONE OR MORE OTHER (ALTERNATIVE) FUGITIVE DUST CONTROL MEASURES, INCLUDING MEASURES TAKEN TO COMPLY WITH ANY OTHER STATUTE OR REGULATION THAT WOULD ALSO EFFECTIVELY CONTROL FUGITIVE DUST DURING ACTIVE AND INACTIVE OPERATIONS OR CONSTRUCTION ACTIVITY (20.11.20.23 NMAC).

**NOTE: IF THE "PERMITTEE" CHOOSES TO SUBMIT AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN IN LIEU OF THE REASONABLY AVAILABLE CONTROL MEASURES GIVEN IN PART B.1 – B.12 BELOW, THE ALTERNATIVE FUGITIVE DUST CONTROL PLAN (SUCH AS A STORM WATER POLLUTION PREVENTION PLAN) MUST INCLUDE DETAILED INFORMATION THAT ADDRESSES: 1) THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE AND INACTIVE DISTURBED SURFACE AREAS; AND 2) FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED; AND 3) ACTION(S) TO BE TAKEN TO MITIGATE PROPERTY DAMAGE (SEE PART C OF THIS APPLICATION). IF SUBMITTING AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN YOU STILL MUST COMPLETE PARTS A, D, E, F, G, H, AND I OF THIS APPLICATION.**

**1. UNPAVED ROADWAYS [check applicable box(es)]:**

- a. ☐ paving using recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. ☐ using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer;
- c. ☐ using wet suppression;
- d. ☐ using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures;
- e. ☐ other (alternative) \_\_\_\_\_

**2. PAVED ROADWAYS [check applicable box(es)]:**

- a. ☐ cleaning up spillage and track out as necessary to prevent particulates from being pulverized and entrained into the atmosphere;
- b. ☐ using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires;
- c. ☐ using on-site wheel washes;
- d. ☐ performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM<sub>10</sub>);
- e. ☐ other (alternative) \_\_\_\_\_

**3. TRUCKS HAULING BULK MATERIALS ON PUBLIC AND PRIVATE ROADWAYS** [check applicable box(es)]:

- a. ☐ using properly secured tarps or cargo covering that covers the entire surface area of the load;
- b. ☐ preventing leakage from the truck bed, sideboards, tailgate, or bottom dump gate;
- c. ☐ using wet suppression to increase moisture content of the bulk materials being hauled;
- d. ☐ using dust suppressants applied in amounts and rates recommended by the manufacturer;
- e. ☐ maintaining a minimum of 6 inches of freeboard below the rim of the truck bed. Freeboard means the vertical distance from the highest portion of the load abutting the bed and the lowest part of the top rim of the truck bed abutting the load;
- f. ☐ other (alternative) \_\_\_\_\_

**4. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES** [check applicable box(es)]:

☐ **SHORT TERM** control measures shall include (check this box first if utilizing short term measures listed below):

- a. ☐ wet suppression;
- b. ☐ dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer;
- c. ☐ temporary upwind windbreaks, including fabric fences with the top at least 4 feet above grade, and with the bottom of the fence sufficiently anchored to the ground to prevent material from blowing underneath the fence; all windbreaks and fabric fences shall be maintained in an upright and functional condition at all times until no longer needed to prevent or abate fugitive dust; all accumulated material on the windward side of the windbreak shall be periodically removed to prevent failure of the windbreak;
- d. ☐ watering the site at the end of each workday sufficient to stabilize the work area;
- e. ☐ applying dust suppressants in amounts and rates recommended by the manufacturer on the worksite at the end of each work week if no active operations are going to take place over the weekend or if active operations stop for more than two consecutive days;
- f. ☐ starting construction at the location that is upwind from the prevailing wind direction and stabilizing disturbed areas before disturbing additional areas;
- g. ☐ clean up and removal of track-out material;
- h. ☐ other (alternative) \_\_\_\_\_

**5. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES** [check applicable box(es)]:

☐ **LONG TERM** control measures shall include (check this box first if utilizing long term measures listed below):

- a. ☐ site stabilization using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer;
- b. ☐ reseeding using native grasses as specified in 20.11.20.24 NMAC – NATIVE GRASS SEEDING AND MULCH SPECIFICATIONS;
- c. ☐ xeriscaping;
- d. ☐ installing parallel rows of fabric fencing or other windbreaks set perpendicular to the prevailing wind direction either onsite or on a nearby property with the permission of the nearby property owner;
- e. ☐ surfacing with gravel or other mulch material of a size and density sufficient to prevent surface material from becoming airborne;
- f. ☐ mulching and crimping of straw or hay as specified in Section 20.11.20.24 NMAC;
- g. ☐ installing permanent perimeter and interior walls;
- h. ☐ conventional landscaping techniques;
- i. ☐ clean up and removal of track-out material;
- j. ☐ other (alternative) \_\_\_\_\_

**6. BULK MATERIAL HANDLING [check applicable box(es)]:**

- a. ☐ using spray bars;
- b. ☐ applying wetting agents (surfactants) to bulk material;
- c. ☐ using wet suppression through manual or mechanical application;
- d. ☐ adding dust suppressants to bulk materials in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer;
- e. ☐ reducing process speeds;
- f. ☐ reducing drop heights;
- g. ☐ other (alternative) \_\_\_\_\_

**7. INDUSTRIAL SITES [check applicable box(es)]:**

- a. ☐ paving roadways and parking area with recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. ☐ performing regularly scheduled vacuum street cleaning or wet sweeping;
- c. ☐ regularly using wet suppression on unpaved areas;
- d. ☐ using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer;
- e. ☐ installing wind breaks;
- f. ☐ installing enclosures;
- g. ☐ installing on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify on-site personnel of high winds;
- h. ☐ increasing wet suppression applications before and during high wind conditions;
- i. ☐ other (alternative) \_\_\_\_\_

**8. DEMOLITION/RENOVATION ACTIVITIES (NON-ASBESTOS CONTAINING MATERIALS PRESENT) [check applicable box(es)]:**

- a. ☐ using constant wet suppression on the debris piles during demolition;
- b. ☐ using water or dust suppressants on the debris pile, applied in amounts and rates recommended by the manufacturer;
- c. ☐ using enclosures;
- d. ☐ using curtains or shrouds;
- e. ☐ using negative pressure dust collectors;
- f. ☐ other (alternative) \_\_\_\_\_

**9. MILLING, GRINDING OR CUTTING OF PAVED OR CONCRETE SURFACES [check applicable box(es)]:**

- a. ☐ constantly using wet suppression;
- b. ☐ ongoing clean up of milled, ground or cut material by using wet sweeping;
- c. ☐ using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer;
- d. ☐ using enclosures;
- e. ☐ using curtains or shrouds;
- f. ☐ other (alternative) \_\_\_\_\_

**10. PRESSURE BLASTING OPERATIONS [check applicable box(es)]:**

- a. ☐ using non-friable abrasive material;
- b. ☐ using curtains, enclosures or shrouds;
- c. ☐ using negative pressure dust collectors;
- d. ☐ using constant wet suppression;
- e. ☐ maintaining ongoing clean up of abrasive material;
- f. ☐ other (alternative) \_\_\_\_\_

**11. SPRAY PAINTING AND OTHER COATINGS [check applicable box(es)]:**

- a. ☐ using enclosures that comply with applicable fire codes;
- b. ☐ using curtains, enclosures or shrouds;
- c. ☐ other (alternative) \_\_\_\_\_

**12. HIGH WIND CONTINGENCY MEASURES [check applicable box(es)]:**

**NOTE: IT IS REQUIRED DURING A HIGH WIND EVENT (5 CONSECUTIVE MINUTES WITH AN AVERAGE WIND SPEED OF 30 MILES PER HOUR OR HIGHER) THAT ALL FUGITIVE DUST SOURCES CEASE ALL ACTIVE OPERATIONS THAT ARE CAPABLE OF PRODUCING FUGITIVE DUST; AND CONTINUE TO USE REASONABLY AVAILABLE CONTROL MEASURES; AND IMPLEMENT HIGH WIND CONTINGENCY MEASURES.**

- a. ☐ installing and using on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify site personnel of high winds;
- b. ☐ using constant wet suppression;
- c. ☐ using dust suppressants applied in amounts and rates recommended by the manufacturer;
- d. ☐ using wetting agents or surfactants on disturbed areas, bulk materials or stockpiles;
- e. ☐ other (alternative) \_\_\_\_\_

**PERMIT APPLICATION - PART C. - FUGITIVE DUST CONTROL PLAN (PLAN) (20.11.20.14)**

**(PRINT OR TYPE)**

**NOTE: THE "PERMITTEE" IS REQUIRED TO COMPLY WITH A FUGITIVE DUST CONTROL PLAN THAT DETAILS THE FUGITIVE DUST CONTROL MEASURES THAT WILL BE USED TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE AND INACTIVE DISTURBED SURFACE AREAS. THIS INCLUDES: 1) STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES; AND 2) FUGITIVE DUST CONTROL CONTINGENCY MEASURES; AND 3) ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE.**

**IF YOU ARE NOT SUBMITTING AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN, THEN YOU MUST COMPLETE PART C.1 - C.3 BELOW TO COMPLETE YOUR FUGITIVE DUST CONTROL PLAN.**

**1. DESCRIBE IN DETAIL THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES THAT YOU MAY HAVE SELECTED IN PART B.1 – B.12 OF THIS APPLICATION THAT WILL BE USED DURING THIS PROJECT TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE DISTURBED SURFACE AREAS AND INACTIVE DISTURBED SURFACE AREAS. (FOR EXAMPLE, PROVIDE DETAILED INFORMATION THAT MAY INCLUDE THE TYPE, SIZE AND QUANTITY OF EQUIPMENT THAT WILL BE USED FOR WET SUPPRESSION, AND, FREQUENCY OF USE; TYPE OF TRAFFIC CONTROL THAT WILL BE USED; TYPE AND LOCATIONS OF FENCING OR WALLS THAT WILL BE INSTALLED; TYPE AND FREQUENCY OF USE OF VACUUM OR WET SWEEPING THAT WILL BE USED; LOCATION AND TYPE OF TEMPORARY PAVEMENTS THAT WILL BE USED; SEEDING PLAN; ETC.).**

ACTIVE - \_\_\_\_\_  
\_\_\_\_\_

INACTIVE - \_\_\_\_\_  
\_\_\_\_\_

**2. DESCRIBE IN DETAIL THE ADDITIONAL FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED DURING THIS PROJECT IF THE REASONABLY AVAILABLE CONTROL MEASURES CHOSEN IN PART B.1 – B.12 AND DETAILED IN PART C.1 ABOVE ARE DETERMINED BY THE DEPARTMENT TO BE INSUFFICIENT TO PROVIDE ADEQUATE FUGITIVE DUST CONTROL DURING ACTIVE AND INACTIVE OPERATIONS.**

ACTIVE - \_\_\_\_\_  
\_\_\_\_\_

INACTIVE - \_\_\_\_\_  
\_\_\_\_\_

**3. DESCRIBE THE ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE BY FUGITIVE DUST GENERATED AT/FROM THIS PROJECT. IT IS REQUIRED TO REMEDY DAMAGE TO REAL PROPERTIES CAUSED BY A VIOLATION OF THE PERMIT (20.11.20.12.C).**

\_\_\_\_\_  
\_\_\_\_\_

**PERMIT APPLICATION PART - D. - HIGH WIND EVENT (20.11.20.16)**

(PRINT OR TYPE)

**NOTE: A HIGH WIND EVENT IS A TIME PERIOD OF 5 CONSECUTIVE MINUTES WITH AN AVERAGE WIND SPEED OF 30 MILES PER HOUR OR HIGHER. ALL FUGITIVE DUST SOURCES SHALL CEASE ALL ACTIVE OPERATIONS THAT ARE CAPABLE OF PRODUCING FUGITIVE DUST; AND CONTINUE TO USE REASONABLY AVAILABLE CONTROL MEASURES; AND IMPLEMENT HIGH WIND CONTINGENCY MEASURES DURING A HIGH WIND EVENT.**

1. DESCRIBE IN DETAIL HOW THE HIGH WIND CONTINGENCY MEASURE(S) CHOSEN WILL BE USED DURING THIS PROJECT \_\_\_\_\_

**PERMIT APPLICATION PART – E. - HIGH WIND AFFIRMATIVE DEFENSE (20.11.20.16)**

**NOTE: TO ASSERT A HIGH WIND AFFIRMATIVE DEFENSE, THE PERMITTEE AGREES TO USE MANDATORY CONTROL MEASURES THROUGHOUT THE ENTIRE DURATION OF THE PERMIT, REGARDLESS OF WHETHER OR NOT A HIGH WIND EVENT EXISTS.**

DO YOU WISH TO QUALIFY FOR A HIGH WIND AFFIRMATIVE DEFENSE DURING THE DURATION OF THIS PERMIT? YES \_\_\_\_ NO \_\_\_\_

**IF THE ANSWER TO THE ABOVE QUESTION IS YES, THEN CHOOSE ONE OF THE REQUIRED CONTROL MEASURES SHOWN BELOW**

1. ☐ Using wet suppression sufficient to provide and maintain a soil moisture content of not less than 12 percent, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high); and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
2. ☐ Using chemical dust suppressants sufficient to substantially reduce fugitive dust leaving the project area while Active Operations are idle, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high), and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
3. ☐ Using an alternative dust control measure or measures that provide fugitive dust control that is equal to or better than using the measures described in options E.1 or E.2 above; and during a High Wind Event ceasing all Active Operations but continuing to use all control measures. If you choose to qualify for a High Wind Affirmative Defense and are selecting E.3, submit as an attachment the alternative dust control measure or measures for Department approval.

**PERMIT APPLICATION PART – F. – FEES (20.11.2.15)**

(PRINT OR TYPE)

AT THE TIME OF SUBMITTAL, ANY PERSON FILING AN APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT SHALL PAY THE APPLICABLE FEES REQUIRED. NO APPLICATION WILL BE REVIEWED OR PERMIT ISSUED UNLESS ALL APPLICABLE FEES HAVE BEEN PAID. CONSTRUCTION PERMITS FOR SURFACE DISTURBANCE (**NON-PROGRAMMATIC**) REQUIRE A FILING AND REVIEW FEE, AND AN INSPECTION FEE.

**1. FILING AND REVIEW FEE TABLE**

| TOTAL PROJECT ACREAGE TO BE DISTURBED   | FILING AND REVIEW FEE | CHECK APPROPRIATE BOX |
|---|-----------------------|-----------------------|
| $\frac{3}{4}$ acre to less than 2 acres | \$250.00              |                       |
| 2 acres to less than 5 acres            | \$350.00              |                       |
| 5 acres to less than 15 acres           | \$450.00              |                       |
| 15 acres or greater                     | \$550.00              |                       |

**NOTE: THE PERMITTEE SHALL INSTALL AND MAINTAIN A PROJECT SIGN, ISSUED OR APPROVED BY THE DEPARTMENT, FOR ALL NON-PROGRAMMATIC PERMIT PROJECTS OF 10 OR MORE ACRES.**

**INSPECTION FEE** TO CALCULATE THE NON-PROGRAMMATIC DUST CONTROL INSPECTION FEE BELOW, WHICH IS IN ADDITION TO THE ABOVE FILING AND REVIEW FEE, MULTIPLY THE ACREAGE ON WHICH ACTIVE OPERATIONS OR DISTURBANCE WILL OCCUR BY THE PER - ACRE RATE SHOWN IN THE TABLE BELOW.

**NOTE: THE NUMBER OF ACRES USED TO CALCULATE THE INSPECTION FEE BELOW MUST BE EXPRESSED AS A WHOLE NUMBER. WHEN ROUNDING, IF THE NUMBER AFTER THE DECIMAL POINT IS LESS THAN 5, THE WHOLE NUMBER REMAINS UNCHANGED. IF THE NUMBER AFTER THE DECIMAL POINT IS 5 OR GREATER, THE WHOLE NUMBER SHALL BE ROUNDED UP TO THE NEXT WHOLE NUMBER. ROUNDING OF ACRES SHALL OCCUR BEFORE THE INSPECTION FEE IS CALCULATED.**

**2. INSPECTION FEE TABLE**

| TOTAL PROJECT ACREAGE TO BE DISTURBED<br>(ROUNDED TO NEAREST WHOLE NUMBER) | TIMES | PER ACRE RATE<br>(BASED ON 20.11.2.15 NMAC) | INSPECTION FEE |
|--|-------|---|----------------|
|  | X     | \$100.00                                    | = \$           |

**PERMIT APPLICATION PART – F. – FEES (20.11.2.15) (CONTINUED)**

(PRINT OR TYPE)

**TOTAL PROJECT FEE** – ADD THE FILING AND REVIEW FEE TO THE INSPECTION FEE TO DETERMINE THE TOTAL PROJECT FEE TO BE SUBMITTED WITH THIS APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT.

**3. TOTAL PROJECT FEE TABLE**

| FILING AND REVIEW FEE | PLUS | INSPECTION FEE |   | TOTAL PROJECT FEE DUE |
|-----------------------|------|----------------|---|-----------------------|
| \$                    | +    | \$             | = | \$                    |

**NOTE: TOTAL PROJECT/PENALTY FEE DUE - IF AN APPLICATION TO OBTAIN A FUGITIVE DUST CONTROL PERMIT IS SUBMITTED AFTER ACTIVE OPERATIONS HAVE COMMENCED AT THE PROJECT LOCATION, A LATE PENALTY FEE OF 50 PERCENT OF THE TOTAL PROJECT FEE SHALL BE ASSESSED IN ADDITION TO THE TOTAL PROJECT FEE (20.11.2.17).**

**TOTAL PROJECT FEE DUE: \$                      X (1.5) LATE PENALTY FACTOR = \$                      TOTAL PROJECT/PENALTY FEE DUE**

**NOTE: TOTAL PROJECT FEE DUE OR TOTAL PROJECT/PENALTY FEE DUE, REQUIRED TO BE PAID AT THE TIME OF APPLICATION SUBMITTAL, SHALL BE PAID BY CHECK OR MONEY ORDER PAYABLE TO: CITY OF ALBUQUERQUE, PERMITS PROGRAM (FUND 242 – ACCOUNT # 0421425). APPLICATION AND ACCOMPANYING FEE MAY BE DELIVERED BY MAIL TO THE ADDRESS THAT APPEARS AT THE TOP OF PAGE 1 OF THIS FORM OR HAND DELIVERED TO THE SAME ADDRESS (BETWEEN THE HOURS OF 8:00AM - 4:30PM MON. THROUGH FRI.).**

**PERMIT APPLICATION PART – G. – SIGNATURE AUTHORITY OF PERMITTEE (20.11.20.15)**

**NOTE: THIS APPLICATION SHALL INCLUDE A FUGITIVE DUST CONTROL PLAN THAT MAY UTILIZE REASONABLY AVAILABLE CONTROL MEASURES TO MITIGATE FUGITIVE DUST TO MEET THE OBJECTIVES OF PART 20.11.20 NMAC – FUGITIVE DUST CONTROL. BY SIGNING BELOW, THE APPLICANT CERTIFIES THAT THE INFORMATION PROVIDED IN THIS APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IS TRUE, ACCURATE AND COMPLETE, AND THE APPLICANT AGREES TO BE THE “PERMITTEE”. A “PERMITTEE” IS A PERSON, OWNER OR OPERATOR AND ALL LEGAL HEIRS, SUCCESSORS, AND ASSIGNS WHO HAS APPLIED FOR AND OBTAINED A FUGITIVE DUST CONTROL PERMIT APPROVED BY THE DEPARTMENT. THE “PERMITTEE” AGREES TO TAKE ALL ACTIONS REQUIRED BY THE FUGITIVE DUST CONTROL PERMIT ISSUED BY THE DEPARTMENT TO PREVENT A VIOLATION OF 20.11.20 NMAC – FUGITIVE DUST CONTROL, INCLUDING STOPPING ACTIVE OPERATIONS, IF NECESSARY. THE “PERMITTEE” IS RESPONSIBLE FOR COMPLYING WITH THE FUGITIVE DUST CONTROL PERMIT, THE FUGITIVE DUST CONTROL PLAN, AND ALL REQUIREMENTS OF PART 20.11.20 NMAC.- FUGITIVE DUST CONTROL. FAILURE TO COMPLY SHALL BE A VIOLATION OF PART 20.11.20 NMAC – FUGITIVE DUST CONTROL.**

|   |  |  |  |
|---|--|--|--|
| (COMPLETE ALL APPLICABLE INFORMATION)   |  |  |  |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">PRINT PERMITTEE’S BUSINESS NAME</div> <div style="width: 55%;"></div> </div>  |  |  |  |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">PRINT NAME OF INDIVIDUAL SIGNING FOR PERMITTEE</div> <div style="width: 55%;">PRINT TITLE OF INDIVIDUAL SIGNING FOR PERMITTEE</div> </div>  |  |  |  |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">SIGNATURE OF PERMITTEE</div> <div style="width: 30%;">INITIALS OF PERMITTEE</div> <div style="width: 25%;">DATE SUBMITTED</div> </div>  |  |  |  |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 35%;">MAILING ADDRESS OF PERMITTEE</div> <div style="width: 15%;">CITY</div> <div style="width: 15%;">STATE</div> <div style="width: 35%;">ZIP CODE</div> </div>  |  |  |  |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 20%;">PHONE NUMBER OF PERMITTEE</div> <div style="width: 20%;">CELL PHONE OF PERMITTEE</div> <div style="width: 20%;">PAGER NUMBER OF PERMITTEE</div> <div style="width: 40%;">FAX NUMBER OF PERMITTEE</div> </div> |  |  |  |
| EMAIL ADDRESS OF PERMITTEE  |  |  |  |

**NOTE: THE APPLICANT SIGNING ABOVE AND APPLYING TO BE THE “PERMITTEE”, MAY DESIGNATE AN ADDITIONAL PERSON(S) [INCLUDES AN ENTITY(IES)] TO BE A “RESPONSIBLE PERSON” AS DEFINED IN 20.11.20.7CC NMAC (DEFINITIONS), IF THE PERSON(S) AGREES IN WRITING TO BE A RESPONSIBLE PERSON. A RESPONSIBLE PERSON CAN BE THE PERMITTEE, THE OWNER, THE OPERATOR, OR ANOTHER PERSON(S). BEFORE DEPARTMENT REVIEW AND ISSUANCE OF A FUGITIVE DUST CONTROL PERMIT, IF THE PERMITTEE WISHES TO DESIGNATE A PERSON(S) AS A RESPONSIBLE PERSON(S) FOR COMPLYING WITH ALL OR SPECIFIC ELEMENTS OF THE FUGITIVE DUST CONTROL PERMIT, THE FUGITIVE DUST CONTROL PLAN, AND PART 20.11.20 NMAC.- FUGITIVE DUST CONTROL, THEN SECTION I - SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” MAY BE USED AT THE TIME OF APPLICATION SUBMITTAL AND MUST INCLUDE ALL APPLICABLE INFORMATION CONCERNING THE DESIGNATED RESPONSIBLE PERSON(S). AFTER THE ISSUANCE OF THE PERMIT, THE DEPARTMENT MAY APPROVE IN WRITING AN AMENDMENT TO THE PERMIT TO ADD OR CHANGE A DESIGNATED RESPONSIBLE PERSON(S). (20.11.20.14)**

**PERMIT APPLICATION PART – H. – OWNER OR OPERATOR INFORMATION (20.11.20.15)** COMPLETE THE OWNER AND/OR OPERATOR INFORMATION BELOW IF DIFFERENT THAN THE PERSON WHO HAS SIGNED AS THE PERMITTEE IN SECTION G, OR AS A RESPONSIBLE PERSON(S) IN SECTION I OF THIS APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT.

**NOTE: IF THE PERMITTEE FAILS TO COMPLY WITH THE PROVISIONS OF 20.11.20 NMAC – FUGITIVE DUST CONTROL, THE OWNER OR OPERATOR, IF DIFFERENT FROM A RESPONSIBLE PERSON OR THE PERMITTEE, SHALL BE RESPONSIBLE FOR COMPLYING WITH THE PERMIT. IF THE PERMITTEE FAILS TO TAKE ALL REQUIRED ACTIONS TO PREVENT A VIOLATION OF 20.11.20 NMAC – FUGITIVE DUST CONTROL, THE OWNER OR OPERATOR OR DESIGNATED RESPONSIBLE PERSON, IF DIFFERENT THAN THE PERMITTEE, SHALL BE RESPONSIBLE TO TAKE ALL ACTIONS REQUIRED TO PREVENT OR SATISFACTORILY RESOLVE A VIOLATION OF 20.11.20 NMAC – FUGITIVE DUST CONTROL, INCLUDING STOPPING ALL ACTIVE OPERATIONS, IF NECESSARY. TO MITIGATE FUGITIVE DUST, ALL INACTIVE DISTURBED SURFACE AREAS MUST BE STABILIZED AND MAINTAINED IN STABLE CONDITION BY THE OWNER, OPERATOR, OR PERSON RESPONSIBLE FOR MAINTENANCE OF THE DISTURBED SURFACE. FAILURE TO COMPLY SHALL BE A VIOLATION OF 20.11.20 NMAC – FUGITIVE DUST CONTROL (20.11.20.12).**

**PROJECT OWNER INFORMATION** (COMPLETE ALL APPLICABLE INFORMATION)

\_\_\_\_\_  
PRINT PROJECT OWNER’S BUSINESS NAME

\_\_\_\_\_  
PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

\_\_\_\_\_  
PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OWNER

\_\_\_\_\_  
SIGNATURE OF PROJECT OWNER

\_\_\_\_\_  
INITIALS OF PROJECT OWNER

\_\_\_\_\_  
DATE SIGNED

\_\_\_\_\_  
MAILING ADDRESS OF PROJECT OWNER

\_\_\_\_\_  
CITY

\_\_\_\_\_  
STATE

\_\_\_\_\_  
ZIP CODE

\_\_\_\_\_  
PHONE OF PROJECT OWNER

\_\_\_\_\_  
CELL OF PROJECT OWNER

\_\_\_\_\_  
PAGER OF PROJECT OWNER

\_\_\_\_\_  
FAX OF OWNER

\_\_\_\_\_  
EMAIL ADDRESS OF PROJECT OWNER

THE **GENERAL PROVISIONS** OF 20.11.20 NMAC – FUGITIVE DUST CONTROL STATES THAT NO PERSON SHALL ALLOW FUGITIVE DUST, TRACK-OUT, OR TRANSPORTED MATERIAL FROM ANY ACTIVE OPERATION, OPEN STORAGE PILE, PAVED OR UNPAVED ROADWAY OR DISTURBED SURFACE AREA, OR INACTIVE DISTURBED SURFACE AREA TO BE CARRIED BEYOND THE PROPERTY LINE, RIGHT-OF-WAY, EASEMENT OR ANY OTHER AREA UNDER THE CONTROL OF THE PERSON GENERATING OR ALLOWING THE FUGITIVE DUST IF THE FUGITIVE DUST WILL: 1) ADVERSELY AFFECT THE HEALTH, PUBLIC WELFARE OR SAFETY OF THE RESIDENTS OF BERNALILLO COUNTY; OR 2) IMPAIR VISIBILITY OR THE REASONABLE USE OF PROPERTY; OR 3) BE VISIBLE LONGER THAN A TOTAL OF 15 MINUTES IN ANY 1 HOUR OBSERVATION PERIOD USING THE VISIBLE FUGITIVE DUST DETECTION METHOD IN 20.11.20.26 (VISUAL DETERMINATION OF FUGITIVE DUST EMISSIONS VIOLATIONS) OR AN EQUIVALENT METHOD APPROVED IN WRITING BY THE DEPARTMENT.

**PROJECT OPERATOR INFORMATION** (COMPLETE ALL APPLICABLE INFORMATION)

\_\_\_\_\_  
PRINT PROJECT OPERATOR’S BUSINESS NAME

\_\_\_\_\_  
PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

\_\_\_\_\_  
PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

\_\_\_\_\_  
SIGNATURE OF PROJECT OPERATOR

\_\_\_\_\_  
INITIALS OF PROJECT OPERATOR

\_\_\_\_\_  
DATE SIGNED

\_\_\_\_\_  
MAILING ADDRESS OF PROJECT OPERATOR

\_\_\_\_\_  
CITY

\_\_\_\_\_  
STATE

\_\_\_\_\_  
ZIP CODE

\_\_\_\_\_  
PHONE OF PROJECT OPERATOR

\_\_\_\_\_  
CELL OF PROJECT OPERATOR

\_\_\_\_\_  
PAGER OF PROJECT OPERATOR

\_\_\_\_\_  
FAX OF PROJECT OPERATOR

\_\_\_\_\_  
EMAIL ADDRESS OF PROJECT OPERATOR



**PERMIT APPLICATION PART – I. – SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” (20.11.20.14)** - “RESPONSIBLE PERSON” MEANS THE PERSON DESIGNATED IN A PERMIT WHO IS RESPONSIBLE FOR COMPLYING WITH THE PERMIT, PLAN AND 20.11.20 NMAC – FUGITIVE DUST CONTROL, TO THE EXTENT SPECIFIED IN THE PERMIT.

**NOTE: IF MORE THAN 1 INDIVIDUAL WILL BE DESIGNATED A RESPONSIBLE PERSON AT THE TIME OF THIS APPLICATION SUBMITTAL, MAKE PHOTOCOPIES OF THIS PAGE BEFORE COMPLETING ANY INFORMATION. AFTER THE ISSUANCE OF THE PERMIT, THE DEPARTMENT MAY APPROVE IN WRITING AN AMENDMENT TO THE PERMIT TO ADD OR CHANGE A DESIGNATED RESPONSIBLE PERSON(S).**

THE PERMITTEE, MAY DESIGNATE AN ADDITIONAL PERSON(S) [INCLUDES AN ENTITY(IES)] TO BE A “RESPONSIBLE PERSON” AS DEFINED ABOVE. IF DIFFERENT THEN THE PERMITTEE, A PERSON THAT AGREES IN WRITING TO BE A RESPONSIBLE PERSON WILL BE LIABLE FOR VIOLATIONS OF THE PERMIT, PLAN AND PART 20.11.20 NMAC – FUGITIVE DUST CONTROL AND SHALL BE THE FIRST PERSON CONTACTED BY THE DEPARTMENT TO RESOLVE A VIOLATION OF THE PERMIT OR PART 20.11.20 NMAC TO EXTENT OUTLINED BELOW IN THE ‘ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON’ [ACTIVITY(IES)].

PRINT RESPONSIBLE PERSON’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

PRINT TITLE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

DATE SIGNED

SIGNATURE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

INITIALS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

ADDRESS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

CITY

STATE

ZIP CODE

PHONE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

CELL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

PAGER OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

FAX OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

EMAIL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON

ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON [ACTIVITY(IES)]

SIGNATURE OF PERMITTEE APPROVING THE DESIGNATION OF ABOVE INDIVIDUAL AS A RESPONSIBLE PERSON

DATE SIGNED

**NOTE: BY SIGNING ABOVE AS A RESPONSIBLE PERSON YOU WILL BE DESIGNATED IN THE PERMIT ISSUED BY THE DEPARTMENT AS RESPONSIBLE FOR COMPLYING WITH THE PERMIT, PLAN AND PART 20.11.20 – FUGITIVE DUST CONTROL TO THE EXTENT SPECIFIED IN THE ABOVE [ACTIVITY(IES)]. YOU WILL BE RESPONSIBLE FOR THE ABOVE [ACTIVITY(IES)] FOR THE DURATION OF THE PERMIT OR UNTIL SUCH TIME AS THE DEPARTMENT RECIVES A REQUEST FROM THE PERMITTEE TO REMOVE YOU FROM BEING THE RESPONSIBLE PERSON FOR THE ABOVE [ACTIVITY(IES)]. THE PERMITTEE WILL BECOME THE RESPONSIBLE PERSON FOR THE [ACTIVITY(IES)] THAT A RESPONSIBLE PERSON IS REMOVED FROM, UNLESS A NEW RESPONSIBLE PERSON IS DESIGNATED FOR THE SAME [ACTIVITY(IES)] AND APPROVED BY THE DEPARTMENT IN WRITING.**

**NOTE: THE PERMITTEE OR RESPONSIBLE PERSON SHALL MAKE THE PERMIT AVAILABLE AND EXPLAIN THE REQUIREMENTS OF THE PERMIT TO APPROPRIATE EMPLOYEES, AGENTS, CONTRACTORS, AND ANY OTHER PERSON PERFORMING WORK IN THE AREA OF ACTIVE DISTURBANCE AT THIS PROJECT TO ASSIST IN MAINTAINING COMPLIANCE WITH PART 20.11.20 – FUGITIVE DUST CONTROL.**

PURSUANT TO THE AIR QUALITY CONTROL ACT, CHAPTER 74, ARTICLE 2 NEW MEXICO STATUTES ANNOTATED 1978, AS AMENDED; THE ALBUQUERQUE JOINT AIR QUALITY CONTROL BOARD ORDINANCE, 9-5-1-1 ROA 1994; THE BERNALILLO COUNTY JOINT AIR QUALITY CONTROL BOARD ORDINANCE, BERNALILLO COUNTY ORDINANCE 94-5, AND THE ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD (A/BCAQCB) REGULATION TITLE 20, CHAPTER 11, PART 20, NEW MEXICO ADMINISTRATIVE CODE (NMAC), (20.11.20 NMAC) - FUGITIVE DUST CONTROL, AND UPON AUTHORIZED SIGNATURES BELOW, THIS APPLICATION TOGETHER WITH ASSOCIATED DRAWINGS, PLANS, APPENDED DOCUMENTS, OTHER DATA, AND ANY CONDITIONS ATTACHED TO THE PERMIT BY THE DEPARTMENT, WILL BECOME THE FUGITIVE DUST CONTROL PERMIT. TABLE BELOW FOR DEPARTMENT USE.

| APPLICATION REVIEWED BY:                                | DEEMED<br>COMPLETE<br>DATE | PERMIT ISSUED BY:                                       | ISSUE DATE  | EXPIRATION<br>DATE |
|---|----------------------------|---|-------------|--------------------|
| AIR QUALITY DIVISION SUPERVISOR<br>OR HEALTH SPECIALIST | / /200                     | AIR QUALITY DIVISION SUPERVISOR<br>OR HEALTH SPECIALIST | / /200<br>- | / /200             |